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**SUBSTITUTE HOUSE BILL 1664**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** House Education (originally sponsored by Representatives Rule, Stonier, Shewmake, Senn, Ramel, Wicks, J. Johnson, Callan, Berg, Cody, Davis, Goodman, Leavitt, Santos, Simmons, Kloba, Pollet, Riccelli, Harris-Talley, Hackney, and Frame)

READ FIRST TIME 01/25/22.

1 AN ACT Relating to prototypical school formulas for physical,  
2 social, and emotional support in schools; amending RCW 28A.400.007;  
3 reenacting and amending RCW 28A.150.260 and 28A.150.260; adding a new  
4 section to chapter 28A.150 RCW; adding a new section to chapter  
5 28A.300 RCW; providing effective dates; and providing expiration  
6 dates.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.150  
9 RCW to read as follows:

10 Each public school, as defined in RCW 28A.150.010, shall have at  
11 least one school nurse and one counselor on site, dedicated to  
12 serving the students of that public school.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
14 RCW to read as follows:

15 (1) By February 1, 2023, and by February 1st every odd-numbered  
16 year thereafter, the office of the superintendent of public  
17 instruction shall submit, in accordance with RCW 43.01.036, to the  
18 appropriate committees of the legislature a report analyzing the  
19 implementation of RCW 28A.150.260(5)(b), related to physical, social,  
20 and emotional support staff.

1 (2) For the analysis, the office of the superintendent of public  
2 instruction must use personnel data reported on or around October 1st  
3 of the report year and the prior year, and any other relevant data.

4 (3) Except as provided in subsection (4) of this section, the  
5 report must:

6 (a) Compare the staffing units provided for nurses, social  
7 workers, psychologists, counselors, classified staff providing  
8 student and staff safety, and parent involvement coordinators under  
9 RCW 28A.150.260(5) to the actual school district staffing levels for  
10 physical, social, and emotional support staff, disaggregate by school  
11 district; and

12 (b) Analyze trends with respect to: (i) Employed staff and  
13 contract staff; and (ii) the percentage of staff with a valid  
14 educational staff associate certificate. These trends must be  
15 disaggregated by assignment duty code, as well as analyzed year over  
16 year and by school district size and geography.

17 (4) For the report due February 1, 2023, the office of the  
18 superintendent of public instruction is required to complete the  
19 analysis described in subsection (3) of this section only to the  
20 extent that relevant data are available.

21 (5) For the purposes of this section, "physical, social, and  
22 emotional support staff" or "staff" has the same meaning as in RCW  
23 28A.150.260(5)(b).

24 (6) This section expires June 30, 2030.

25 **Sec. 3.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are  
26 each reenacted and amended to read as follows:

27 The purpose of this section is to provide for the allocation of  
28 state funding that the legislature deems necessary to support school  
29 districts in offering the minimum instructional program of basic  
30 education under RCW 28A.150.220. The allocation shall be determined  
31 as follows:

32 (1) The governor shall and the superintendent of public  
33 instruction may recommend to the legislature a formula for the  
34 distribution of a basic education instructional allocation for each  
35 common school district.

36 (2)(a) The distribution formula under this section shall be for  
37 allocation purposes only. Except as may be required under subsections  
38 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,  
39 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,

1 nothing in this section requires school districts to use basic  
2 education instructional funds to implement a particular instructional  
3 approach or service. Nothing in this section requires school  
4 districts to maintain a particular classroom teacher-to-student ratio  
5 or other staff-to-student ratio or to use allocated funds to pay for  
6 particular types or classifications of staff. Nothing in this section  
7 entitles an individual teacher to a particular teacher planning  
8 period.

9 (b) To promote transparency in state funding allocations, the  
10 superintendent of public instruction must report state per-pupil  
11 allocations for each school district for the general apportionment,  
12 special education, learning assistance, transitional bilingual,  
13 highly capable, and career and technical education programs. The  
14 superintendent must report this information in a user-friendly format  
15 on the main page of the office's website. School districts must  
16 include a link to the superintendent's per-pupil allocations report  
17 on the main page of the school district's website. In addition, the  
18 budget documents published by the legislature for the enacted omnibus  
19 operating appropriations act must report statewide average per-pupil  
20 allocations for general apportionment and the categorical programs  
21 listed in this subsection.

22 (3)(a) To the extent the technical details of the formula have  
23 been adopted by the legislature and except when specifically provided  
24 as a school district allocation, the distribution formula for the  
25 basic education instructional allocation shall be based on minimum  
26 staffing and nonstaff costs the legislature deems necessary to  
27 support instruction and operations in prototypical schools serving  
28 high, middle, and elementary school students as provided in this  
29 section. The use of prototypical schools for the distribution formula  
30 does not constitute legislative intent that schools should be  
31 operated or structured in a similar fashion as the prototypes.  
32 Prototypical schools illustrate the level of resources needed to  
33 operate a school of a particular size with particular types and grade  
34 levels of students using commonly understood terms and inputs, such  
35 as class size, hours of instruction, and various categories of school  
36 staff. It is the intent that the funding allocations to school  
37 districts be adjusted from the school prototypes based on the actual  
38 number of annual average full-time equivalent students in each grade  
39 level at each school in the district and not based on the grade-level  
40 configuration of the school to the extent that data is available. The

1 allocations shall be further adjusted from the school prototypes with  
2 minimum allocations for small schools and to reflect other factors  
3 identified in the omnibus appropriations act.

4 (b) For the purposes of this section, prototypical schools are  
5 defined as follows:

6 (i) A prototypical high school has six hundred average annual  
7 full-time equivalent students in grades nine through twelve;

8 (ii) A prototypical middle school has four hundred thirty-two  
9 average annual full-time equivalent students in grades seven and  
10 eight; and

11 (iii) A prototypical elementary school has four hundred average  
12 annual full-time equivalent students in grades kindergarten through  
13 six.

14 (4)(a)(i) The minimum allocation for each level of prototypical  
15 school shall be based on the number of full-time equivalent classroom  
16 teachers needed to provide instruction over the minimum required  
17 annual instructional hours under RCW 28A.150.220 and provide at least  
18 one teacher planning period per school day, and based on the  
19 following general education average class size of full-time  
20 equivalent students per teacher:

	General education average class size
21 Grades K-3. . . . .	17.00
22 Grade 4. . . . .	27.00
23 Grades 5-6. . . . .	27.00
24 Grades 7-8. . . . .	28.53
25 Grades 9-12. . . . .	28.74

26 (ii) The minimum class size allocation for each prototypical high  
27 school shall also provide for enhanced funding for class size  
28 reduction for two laboratory science classes within grades nine  
29 through twelve per full-time equivalent high school student  
30 multiplied by a laboratory science course factor of 0.0833, based on  
31 the number of full-time equivalent classroom teachers needed to  
32 provide instruction over the minimum required annual instructional  
33 hours in RCW 28A.150.220, and providing at least one teacher planning  
34 period per school day:

	Laboratory science average class size
35 Grades 9-12. . . . .	19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of, and proportionate to, the school district's demonstrated actual class size in grades K-3, up to the funded class sizes.

(ii) The office of the superintendent of public instruction shall develop rules to implement this subsection (4)(b).

(c)(i) The minimum allocation for each prototypical middle and high school shall also provide for full-time equivalent classroom teachers based on the following number of full-time equivalent students per teacher in career and technical education:

	Career and technical education average class size
Approved career and technical education offered at the middle school and high school level. . . . .	23.00
Skill center programs meeting the standards established by the office of the superintendent of public instruction. . . . .	((20.00)) <u>19.00</u>

(ii) Funding allocated under this subsection (4)(c) is subject to RCW 28A.150.265.

(d) In addition, the omnibus appropriations act shall at a minimum specify:

- (i) A high-poverty average class size in schools where more than fifty percent of the students are eligible for free and reduced-price meals; and
- (ii) A specialty average class size for advanced placement and international baccalaureate courses.

(5)(a) The minimum allocation for each level of prototypical school shall include allocations for the following types of staff in addition to classroom teachers:

	Elementary School	Middle School	High School
Principals, assistant principals, and other certificated building-level administrators. . . . .	1.253	1.353	1.880
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. . . . .	0.663	0.519	0.523

((Health and social services:

1	School nurses.....	0.076	0.060	0.096
2	Social workers.....	0.042	0.006	0.015
3	Psychologists.....	0.017	0.002	0.007
4	Guidance counselors, a function that includes parent outreach and graduation			
5	advising.....	0.493	1.216	2.539))
6	Teaching assistance, including any aspect of educational instructional services			
7	provided by classified employees.....	0.936	0.700	0.652
8	Office support and other noninstructional aides.....	2.012	2.325	3.269
9	Custodians.....	1.657	1.942	2.965
10	Nurses.....	0.246	0.336	0.339
11	Social workers.....	0.311	0.088	0.127
12	Psychologists.....	0.104	0.024	0.049
13	Counselors.....	0.993	1.716	3.039
14	Classified staff providing student and staff safety.....	0.079	0.092	0.141
15	Parent involvement coordinators.....	0.0825	0.00	0.00

16 (b) (i) The superintendent may only allocate funding, up to the  
17 combined minimum allocations, for nurses, social workers,  
18 psychologists, counselors, classified staff providing student and  
19 staff safety, and parent involvement coordinators under (a) and (c)  
20 of this subsection to the extent of and proportionate to a school  
21 district's demonstrated actual ratios of: Full-time equivalent  
22 physical, social, and emotional support staff to full-time equivalent  
23 students.

24 (ii) The superintendent must adopt rules to implement this  
25 subsection (5)(b) and the rules must require school districts to  
26 prioritize funding allocated as required by (b) (i) of this subsection  
27 for physical, social, and emotional support staff who hold a valid  
28 educational staff associate certificate appropriate for the staff's  
29 role.

30 (iii) For the purposes of this subsection (5)(b), "physical,  
31 social, and emotional support staff" include nurses, social workers,  
32 psychologists, counselors, classified staff providing student and  
33 staff safety, parent involvement coordinators, and other school  
34 district employees and contractors who provide physical, social, and  
35 emotional support to students as defined by the superintendent.

(c) For the 2023-24 school year, in addition to the minimum allocation under (a) of this subsection, the following additional staffing units for each level of prototypical school will be provided for nurses:

	<u>Elementary</u>	<u>Middle</u>	<u>High</u>
	<u>School</u>	<u>School</u>	<u>School</u>
<u>Nurses.....</u>	<u>0.170</u>	<u>0.276</u>	<u>0.243</u>

(6) (a) The minimum staffing allocation for each school district to provide district-wide support services shall be allocated per one thousand annual average full-time equivalent students in grades K-12 as follows:

	Staff per 1,000 K-12 students
Technology. . . . .	0.628
Facilities, maintenance, and grounds. . . . .	1.813
Warehouse, laborers, and mechanics. . . . .	0.332

(b) The minimum allocation of staff units for each school district to support certificated and classified staffing of central administration shall be 5.30 percent of the staff units generated under subsections (4)(a) and (5) of this section and (a) of this subsection.

(7) The distribution formula shall include staffing allocations to school districts for career and technical education and skill center administrative and other school-level certificated staff, as specified in the omnibus appropriations act.

(8) (a) Except as provided in (b) of this subsection, the minimum allocation for each school district shall include allocations per annual average full-time equivalent student for the following materials, supplies, and operating costs as provided in the 2017-18 school year, after which the allocations shall be adjusted annually for inflation as specified in the omnibus appropriations act:

	Per annual average full-time equivalent student in grades K-12
Technology. . . . .	\$130.76
Utilities and insurance. . . . .	\$355.30
Curriculum and textbooks. . . . .	\$140.39

1	Other supplies . . . . .	\$278.05
2	Library materials. . . . .	\$20.00
3	Instructional professional development for certificated and	
4	classified staff. . . . .	\$21.71
5	Facilities maintenance. . . . .	\$176.01
6	Security and central office administration. . . . .	\$121.94

7 (b) In addition to the amounts provided in (a) of this  
8 subsection, beginning in the 2014-15 school year, the omnibus  
9 appropriations act shall provide the following minimum allocation for  
10 each annual average full-time equivalent student in grades nine  
11 through twelve for the following materials, supplies, and operating  
12 costs, to be adjusted annually for inflation:

13		Per annual average
14		full-time equivalent student
15		in grades 9-12
16	Technology. . . . .	\$36.35
17	Curriculum and textbooks. . . . .	\$39.02
18	Other supplies . . . . .	\$77.28
19	Library materials. . . . .	\$5.56
20	Instructional professional development for certificated and	
21	classified staff. . . . .	\$6.04

22 (9) In addition to the amounts provided in subsection (8) of this  
23 section and subject to RCW 28A.150.265, the omnibus appropriations  
24 act shall provide an amount based on full-time equivalent student  
25 enrollment in each of the following:

- 26 (a) Exploratory career and technical education courses for
- 27 students in grades seven through twelve;
- 28 (b) Preparatory career and technical education courses for
- 29 students in grades nine through twelve offered in a high school; and
- 30 (c) Preparatory career and technical education courses for
- 31 students in grades eleven and twelve offered through a skill center.

32 (10) In addition to the allocations otherwise provided under this  
33 section, amounts shall be provided to support the following programs  
34 and services:

- 35 (a) (i) To provide supplemental instruction and services for
- 36 students who are not meeting academic standards through the learning
- 37 assistance program under RCW 28A.165.005 through 28A.165.065,
- 38 allocations shall be based on the greater of either: The district
- 39 percentage of students in kindergarten through grade twelve who were



1 eligible for free or reduced-price meals for the school year  
2 immediately preceding the district's participation, in whole or part,  
3 in the United States department of agriculture's community  
4 eligibility provision, or the district percentage of students in  
5 grades K-12 who were eligible for free or reduced-price meals in the  
6 prior school year. The minimum allocation for the program shall  
7 provide for each level of prototypical school resources to provide,  
8 on a statewide average, 2.3975 hours per week in extra instruction  
9 with a class size of fifteen learning assistance program students per  
10 teacher.

11 (ii) In addition to funding allocated under (a)(i) of this  
12 subsection, to provide supplemental instruction and services for  
13 students who are not meeting academic standards in qualifying  
14 schools. A qualifying school means a school in which the three-year  
15 rolling average of the prior year total annual average enrollment  
16 that qualifies for free or reduced-price meals equals or exceeds  
17 fifty percent or more of its total annual average enrollment. A  
18 school continues to meet the definition of a qualifying school if the  
19 school: Participates in the United States department of agriculture's  
20 community eligibility provision; and met the definition of a  
21 qualifying school in the year immediately preceding their  
22 participation. The minimum allocation for this additional high  
23 poverty-based allocation must provide for each level of prototypical  
24 school resources to provide, on a statewide average, 1.1 hours per  
25 week in extra instruction with a class size of fifteen learning  
26 assistance program students per teacher, under RCW 28A.165.055,  
27 school districts must distribute the high poverty-based allocation to  
28 the schools that generated the funding allocation.

29 (b) (i) To provide supplemental instruction and services for  
30 students whose primary language is other than English, allocations  
31 shall be based on the head count number of students in each school  
32 who are eligible for and enrolled in the transitional bilingual  
33 instruction program under RCW 28A.180.010 through 28A.180.080. The  
34 minimum allocation for each level of prototypical school shall  
35 provide resources to provide, on a statewide average, 4.7780 hours  
36 per week in extra instruction for students in grades kindergarten  
37 through six and 6.7780 hours per week in extra instruction for  
38 students in grades seven through twelve, with fifteen transitional  
39 bilingual instruction program students per teacher. Notwithstanding  
40 other provisions of this subsection (10), the actual per-student

1 allocation may be scaled to provide a larger allocation for students  
2 needing more intensive intervention and a commensurate reduced  
3 allocation for students needing less intensive intervention, as  
4 detailed in the omnibus appropriations act.

5 (ii) To provide supplemental instruction and services for  
6 students who have exited the transitional bilingual program,  
7 allocations shall be based on the head count number of students in  
8 each school who have exited the transitional bilingual program within  
9 the previous two years based on their performance on the English  
10 proficiency assessment and are eligible for and enrolled in the  
11 transitional bilingual instruction program under RCW  
12 28A.180.040(1)(g). The minimum allocation for each prototypical  
13 school shall provide resources to provide, on a statewide average,  
14 3.0 hours per week in extra instruction with fifteen exited students  
15 per teacher.

16 (c) To provide additional allocations to support programs for  
17 highly capable students under RCW 28A.185.010 through 28A.185.030,  
18 allocations shall be based on 5.0 percent of each school district's  
19 full-time equivalent basic education enrollment. The minimum  
20 allocation for the programs shall provide resources to provide, on a  
21 statewide average, 2.1590 hours per week in extra instruction with  
22 fifteen highly capable program students per teacher.

23 (11) The allocations under subsections (4)(a), (5), (6), and (8)  
24 of this section shall be enhanced as provided under RCW 28A.150.390  
25 on an excess cost basis to provide supplemental instructional  
26 resources for students with disabilities.

27 (12)(a) For the purposes of allocations for prototypical high  
28 schools and middle schools under subsections (4) and (10) of this  
29 section that are based on the percent of students in the school who  
30 are eligible for free and reduced-price meals, the actual percent of  
31 such students in a school shall be adjusted by a factor identified in  
32 the omnibus appropriations act to reflect underreporting of free and  
33 reduced-price meal eligibility among middle and high school students.

34 (b) Allocations or enhancements provided under subsections (4),  
35 (7), and (9) of this section for exploratory and preparatory career  
36 and technical education courses shall be provided only for courses  
37 approved by the office of the superintendent of public instruction  
38 under chapter 28A.700 RCW.

39 (13)(a) This formula for distribution of basic education funds  
40 shall be reviewed biennially by the superintendent and governor. The

1 recommended formula shall be subject to approval, amendment or  
2 rejection by the legislature.

3 (b) In the event the legislature rejects the distribution formula  
4 recommended by the governor, without adopting a new distribution  
5 formula, the distribution formula for the previous school year shall  
6 remain in effect.

7 (c) The enrollment of any district shall be the annual average  
8 number of full-time equivalent students and part-time students as  
9 provided in RCW 28A.150.350, enrolled on the first school day of each  
10 month, including students who are in attendance pursuant to RCW  
11 28A.335.160 and 28A.225.250 who do not reside within the servicing  
12 school district. The definition of full-time equivalent student shall  
13 be determined by rules of the superintendent of public instruction  
14 and shall be included as part of the superintendent's biennial budget  
15 request. The definition shall be based on the minimum instructional  
16 hour offerings required under RCW 28A.150.220. Any revision of the  
17 present definition shall not take effect until approved by the house  
18 ways and means committee and the senate ways and means committee.

19 (d) The office of financial management shall make a monthly  
20 review of the superintendent's reported full-time equivalent students  
21 in the common schools in conjunction with RCW 43.62.050.

22 **Sec. 4.** RCW 28A.150.260 and 2020 c 288 s 4 and 2020 c 61 s 4 are  
23 each reenacted and amended to read as follows:

24 The purpose of this section is to provide for the allocation of  
25 state funding that the legislature deems necessary to support school  
26 districts in offering the minimum instructional program of basic  
27 education under RCW 28A.150.220. The allocation shall be determined  
28 as follows:

29 (1) The governor shall and the superintendent of public  
30 instruction may recommend to the legislature a formula for the  
31 distribution of a basic education instructional allocation for each  
32 common school district.

33 (2)(a) The distribution formula under this section shall be for  
34 allocation purposes only. Except as may be required under subsections  
35 (4)(b) and (c), (5)(b), and (9) of this section, chapter 28A.155,  
36 28A.165, 28A.180, or 28A.185 RCW, or federal laws and regulations,  
37 nothing in this section requires school districts to use basic  
38 education instructional funds to implement a particular instructional  
39 approach or service. Nothing in this section requires school

1 districts to maintain a particular classroom teacher-to-student ratio  
2 or other staff-to-student ratio or to use allocated funds to pay for  
3 particular types or classifications of staff. Nothing in this section  
4 entitles an individual teacher to a particular teacher planning  
5 period.

6 (b) To promote transparency in state funding allocations, the  
7 superintendent of public instruction must report state per-pupil  
8 allocations for each school district for the general apportionment,  
9 special education, learning assistance, transitional bilingual,  
10 highly capable, and career and technical education programs. The  
11 superintendent must report this information in a user-friendly format  
12 on the main page of the office's website. School districts must  
13 include a link to the superintendent's per-pupil allocations report  
14 on the main page of the school district's website. In addition, the  
15 budget documents published by the legislature for the enacted omnibus  
16 operating appropriations act must report statewide average per-pupil  
17 allocations for general apportionment and the categorical programs  
18 listed in this subsection.

19 (3)(a) To the extent the technical details of the formula have  
20 been adopted by the legislature and except when specifically provided  
21 as a school district allocation, the distribution formula for the  
22 basic education instructional allocation shall be based on minimum  
23 staffing and nonstaff costs the legislature deems necessary to  
24 support instruction and operations in prototypical schools serving  
25 high, middle, and elementary school students as provided in this  
26 section. The use of prototypical schools for the distribution formula  
27 does not constitute legislative intent that schools should be  
28 operated or structured in a similar fashion as the prototypes.  
29 Prototypical schools illustrate the level of resources needed to  
30 operate a school of a particular size with particular types and grade  
31 levels of students using commonly understood terms and inputs, such  
32 as class size, hours of instruction, and various categories of school  
33 staff. It is the intent that the funding allocations to school  
34 districts be adjusted from the school prototypes based on the actual  
35 number of annual average full-time equivalent students in each grade  
36 level at each school in the district and not based on the grade-level  
37 configuration of the school to the extent that data is available. The  
38 allocations shall be further adjusted from the school prototypes with  
39 minimum allocations for small schools and to reflect other factors  
40 identified in the omnibus appropriations act.

(b) For the purposes of this section, prototypical schools are defined as follows:

(i) A prototypical high school has six hundred average annual full-time equivalent students in grades nine through twelve;

(ii) A prototypical middle school has four hundred thirty-two average annual full-time equivalent students in grades seven and eight; and

(iii) A prototypical elementary school has four hundred average annual full-time equivalent students in grades kindergarten through six.

(4)(a)(i) The minimum allocation for each level of prototypical school shall be based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours under RCW 28A.150.220 and provide at least one teacher planning period per school day, and based on the following general education average class size of full-time equivalent students per teacher:

	General education average class size
Grades K-3. . . . .	17.00
Grade 4. . . . .	27.00
Grades 5-6. . . . .	27.00
Grades 7-8. . . . .	28.53
Grades 9-12. . . . .	28.74

(ii) The minimum class size allocation for each prototypical high school shall also provide for enhanced funding for class size reduction for two laboratory science classes within grades nine through twelve per full-time equivalent high school student multiplied by a laboratory science course factor of 0.0833, based on the number of full-time equivalent classroom teachers needed to provide instruction over the minimum required annual instructional hours in RCW 28A.150.220, and providing at least one teacher planning period per school day:

	Laboratory science average class size
Grades 9-12. . . . .	19.98

(b)(i) Beginning September 1, 2019, funding for average K-3 class sizes in this subsection (4) may be provided only to the extent of,

1 and proportionate to, the school district's demonstrated actual class  
 2 size in grades K-3, up to the funded class sizes.

3 (ii) The office of the superintendent of public instruction shall  
 4 develop rules to implement this subsection (4)(b).

5 (c)(i) The minimum allocation for each prototypical middle and  
 6 high school shall also provide for full-time equivalent classroom  
 7 teachers based on the following number of full-time equivalent  
 8 students per teacher in career and technical education:

	Career and technical education average class size
9 Approved career and technical education offered at	
10 the middle school and high school level. . . . .	23.00
11 Skill center programs meeting the standards established	
12 by the office of the superintendent of public	
13 instruction. . . . .	((20.00)) <u>19.00</u>

14 (ii) Funding allocated under this subsection (4)(c) is subject to  
 15 RCW 28A.150.265.

16 (d) In addition, the omnibus appropriations act shall at a  
 17 minimum specify:

18 (i) A high-poverty average class size in schools where more than  
 19 fifty percent of the students are eligible for free and reduced-price  
 20 meals; and

21 (ii) A specialty average class size for advanced placement and  
 22 international baccalaureate courses.

23 (5)(a) The minimum allocation for each level of prototypical  
 24 school shall include allocations for the following types of staff in  
 25 addition to classroom teachers:

	Elementary School	Middle School	High School
26 Principals, assistant principals, and other certificated building-level			
27 administrators. . . . .	1.253	1.353	1.880
28 Teacher-librarians, a function that includes information literacy, technology,			
29 and media to support school library media programs. . . . .	0.663	0.519	0.523
30 <del>((Health and social services:</del>			
31 School nurses. . . . .	0.076	0.060	0.096
32 Social workers. . . . .	0.042	0.006	0.015

1	Psychologists.....	0.017	0.002	0.007
2	Guidance counselors, a function that includes parent outreach and graduation			
3	advising.....	0.493	1.216	2.539))
4	Teaching assistance, including any aspect of educational instructional services			
5	provided by classified employees. ....	0.936	0.700	0.652
6	Office support and other noninstructional aides. ....	2.012	2.325	3.269
7	Custodians. ....	1.657	1.942	2.965
8	Nurses.....	0.585	0.888	0.824
9	Social workers.....	0.311	0.088	0.127
10	Psychologists.....	0.104	0.024	0.049
11	Counselors.....	0.993	1.716	3.039
12	Classified staff providing student and staff safety. ....	0.079	0.092	0.141
13	Parent involvement coordinators. ....	0.0825	0.00	0.00

14     (b) (i) The superintendent may only allocate funding, up to the  
15 combined minimum allocations, for nurses, social workers,  
16 psychologists, counselors, classified staff providing student and  
17 staff safety, and parent involvement coordinators under (a) of this  
18 subsection to the extent of and proportionate to a school district's  
19 demonstrated actual ratios of: Full-time equivalent physical, social,  
20 and emotional support staff to full-time equivalent students.

21     (ii) The superintendent must adopt rules to implement this  
22 subsection (5) (b) and the rules must require school districts to  
23 prioritize funding allocated as required by (b) (i) of this subsection  
24 for physical, social, and emotional support staff who hold a valid  
25 educational staff associate certificate appropriate for the staff's  
26 role.

27     (iii) For the purposes of this subsection (5) (b), "physical,  
28 social, and emotional support staff" include nurses, social workers,  
29 psychologists, counselors, classified staff providing student and  
30 staff safety, parent involvement coordinators, and other school  
31 district employees and contractors who provide physical, social, and  
32 emotional support to students as defined by the superintendent.

33     (6) (a) The minimum staffing allocation for each school district  
34 to provide district-wide support services shall be allocated per one  
35 thousand annual average full-time equivalent students in grades K-12  
36 as follows:

Staff per 1,000

37

1		K-12 students
2	Technology. . . . .	0.628
3	Facilities, maintenance, and grounds. . . . .	1.813
4	Warehouse, laborers, and mechanics. . . . .	0.332

5 (b) The minimum allocation of staff units for each school  
6 district to support certificated and classified staffing of central  
7 administration shall be 5.30 percent of the staff units generated  
8 under subsections (4)(a) and (5) of this section and (a) of this  
9 subsection.

10 (7) The distribution formula shall include staffing allocations  
11 to school districts for career and technical education and skill  
12 center administrative and other school-level certificated staff, as  
13 specified in the omnibus appropriations act.

14 (8)(a) Except as provided in (b) of this subsection, the minimum  
15 allocation for each school district shall include allocations per  
16 annual average full-time equivalent student for the following  
17 materials, supplies, and operating costs as provided in the 2017-18  
18 school year, after which the allocations shall be adjusted annually  
19 for inflation as specified in the omnibus appropriations act:

20		Per annual average
21		full-time equivalent student
22		in grades K-12
23	Technology. . . . .	\$130.76
24	Utilities and insurance. . . . .	\$355.30
25	Curriculum and textbooks. . . . .	\$140.39
26	Other supplies . . . . .	\$278.05
27	Library materials. . . . .	\$20.00
28	Instructional professional development for certificated and	
29	classified staff. . . . .	\$21.71
30	Facilities maintenance. . . . .	\$176.01
31	Security and central office administration. . . . .	\$121.94

32 (b) In addition to the amounts provided in (a) of this  
33 subsection, beginning in the 2014-15 school year, the omnibus  
34 appropriations act shall provide the following minimum allocation for  
35 each annual average full-time equivalent student in grades nine  
36 through twelve for the following materials, supplies, and operating  
37 costs, to be adjusted annually for inflation:

38 Per annual average



1	full-time equivalent student	
2		in grades 9-12
3	Technology. . . . .	\$36.35
4	Curriculum and textbooks. . . . .	\$39.02
5	Other supplies . . . . .	\$77.28
6	Library materials. . . . .	\$5.56
7	Instructional professional development for certificated and	
8	classified staff. . . . .	\$6.04

9 (9) In addition to the amounts provided in subsection (8) of this  
10 section and subject to RCW 28A.150.265, the omnibus appropriations  
11 act shall provide an amount based on full-time equivalent student  
12 enrollment in each of the following:

- 13 (a) Exploratory career and technical education courses for
- 14 students in grades seven through twelve;
- 15 (b) Preparatory career and technical education courses for
- 16 students in grades nine through twelve offered in a high school; and
- 17 (c) Preparatory career and technical education courses for
- 18 students in grades eleven and twelve offered through a skill center.

19 (10) In addition to the allocations otherwise provided under this  
20 section, amounts shall be provided to support the following programs  
21 and services:

22 (a)(i) To provide supplemental instruction and services for  
23 students who are not meeting academic standards through the learning  
24 assistance program under RCW 28A.165.005 through 28A.165.065,  
25 allocations shall be based on the greater of either: The district  
26 percentage of students in kindergarten through grade twelve who were  
27 eligible for free or reduced-price meals for the school year  
28 immediately preceding the district's participation, in whole or part,  
29 in the United States department of agriculture's community  
30 eligibility provision, or the district percentage of students in  
31 grades K-12 who were eligible for free or reduced-price meals in the  
32 prior school year. The minimum allocation for the program shall  
33 provide for each level of prototypical school resources to provide,  
34 on a statewide average, 2.3975 hours per week in extra instruction  
35 with a class size of fifteen learning assistance program students per  
36 teacher.

37 (ii) In addition to funding allocated under (a)(i) of this  
38 subsection, to provide supplemental instruction and services for  
39 students who are not meeting academic standards in qualifying

1 schools. A qualifying school means a school in which the three-year  
2 rolling average of the prior year total annual average enrollment  
3 that qualifies for free or reduced-price meals equals or exceeds  
4 fifty percent or more of its total annual average enrollment. A  
5 school continues to meet the definition of a qualifying school if the  
6 school: Participates in the United States department of agriculture's  
7 community eligibility provision; and met the definition of a  
8 qualifying school in the year immediately preceding their  
9 participation. The minimum allocation for this additional high  
10 poverty-based allocation must provide for each level of prototypical  
11 school resources to provide, on a statewide average, 1.1 hours per  
12 week in extra instruction with a class size of fifteen learning  
13 assistance program students per teacher, under RCW 28A.165.055,  
14 school districts must distribute the high poverty-based allocation to  
15 the schools that generated the funding allocation.

16 (b) (i) To provide supplemental instruction and services for  
17 students whose primary language is other than English, allocations  
18 shall be based on the head count number of students in each school  
19 who are eligible for and enrolled in the transitional bilingual  
20 instruction program under RCW 28A.180.010 through 28A.180.080. The  
21 minimum allocation for each level of prototypical school shall  
22 provide resources to provide, on a statewide average, 4.7780 hours  
23 per week in extra instruction for students in grades kindergarten  
24 through six and 6.7780 hours per week in extra instruction for  
25 students in grades seven through twelve, with fifteen transitional  
26 bilingual instruction program students per teacher. Notwithstanding  
27 other provisions of this subsection (10), the actual per-student  
28 allocation may be scaled to provide a larger allocation for students  
29 needing more intensive intervention and a commensurate reduced  
30 allocation for students needing less intensive intervention, as  
31 detailed in the omnibus appropriations act.

32 (ii) To provide supplemental instruction and services for  
33 students who have exited the transitional bilingual program,  
34 allocations shall be based on the head count number of students in  
35 each school who have exited the transitional bilingual program within  
36 the previous two years based on their performance on the English  
37 proficiency assessment and are eligible for and enrolled in the  
38 transitional bilingual instruction program under RCW  
39 28A.180.040(1)(g). The minimum allocation for each prototypical  
40 school shall provide resources to provide, on a statewide average,

1 3.0 hours per week in extra instruction with fifteen exited students  
2 per teacher.

3 (c) To provide additional allocations to support programs for  
4 highly capable students under RCW 28A.185.010 through 28A.185.030,  
5 allocations shall be based on 5.0 percent of each school district's  
6 full-time equivalent basic education enrollment. The minimum  
7 allocation for the programs shall provide resources to provide, on a  
8 statewide average, 2.1590 hours per week in extra instruction with  
9 fifteen highly capable program students per teacher.

10 (11) The allocations under subsections (4)(a), (5), (6), and (8)  
11 of this section shall be enhanced as provided under RCW 28A.150.390  
12 on an excess cost basis to provide supplemental instructional  
13 resources for students with disabilities.

14 (12)(a) For the purposes of allocations for prototypical high  
15 schools and middle schools under subsections (4) and (10) of this  
16 section that are based on the percent of students in the school who  
17 are eligible for free and reduced-price meals, the actual percent of  
18 such students in a school shall be adjusted by a factor identified in  
19 the omnibus appropriations act to reflect underreporting of free and  
20 reduced-price meal eligibility among middle and high school students.

21 (b) Allocations or enhancements provided under subsections (4),  
22 (7), and (9) of this section for exploratory and preparatory career  
23 and technical education courses shall be provided only for courses  
24 approved by the office of the superintendent of public instruction  
25 under chapter 28A.700 RCW.

26 (13)(a) This formula for distribution of basic education funds  
27 shall be reviewed biennially by the superintendent and governor. The  
28 recommended formula shall be subject to approval, amendment or  
29 rejection by the legislature.

30 (b) In the event the legislature rejects the distribution formula  
31 recommended by the governor, without adopting a new distribution  
32 formula, the distribution formula for the previous school year shall  
33 remain in effect.

34 (c) The enrollment of any district shall be the annual average  
35 number of full-time equivalent students and part-time students as  
36 provided in RCW 28A.150.350, enrolled on the first school day of each  
37 month, including students who are in attendance pursuant to RCW  
38 28A.335.160 and 28A.225.250 who do not reside within the servicing  
39 school district. The definition of full-time equivalent student shall  
40 be determined by rules of the superintendent of public instruction

1 and shall be included as part of the superintendent's biennial budget  
 2 request. The definition shall be based on the minimum instructional  
 3 hour offerings required under RCW 28A.150.220. Any revision of the  
 4 present definition shall not take effect until approved by the house  
 5 ways and means committee and the senate ways and means committee.

6 (d) The office of financial management shall make a monthly  
 7 review of the superintendent's reported full-time equivalent students  
 8 in the common schools in conjunction with RCW 43.62.050.

9 **Sec. 5.** RCW 28A.400.007 and 2017 3rd sp.s. c 13 s 904 are each  
 10 amended to read as follows:

11 (1) In addition to the staffing units in RCW 28A.150.260, the  
 12 superintendent of public instruction must provide school districts  
 13 with allocations for the following staff units if and to the extent  
 14 that funding is specifically appropriated and designated for that  
 15 category of staffing unit in the omnibus operating appropriations  
 16 act.

17 (a) Additional staffing units for each level of prototypical  
 18 school in RCW 28A.150.260:

	Elementary	Middle	High
	School	School	School
Principals, assistant principals, and other certificated building-level administrators. ....	0.0470	0.0470	0.0200
Teacher-librarians, a function that includes information literacy, technology, and media to support school library media programs. ....	0.3370	0.4810	0.4770
<del>((Health and social services:</del>			
School nurses. ....	0.5090	0.8280	0.7280
Social workers. ....	0.2690	0.0820	0.1120
Psychologists. ....	0.0870	0.0220	0.0420
<del>Guidance counselors, a function that includes parent outreach and graduation advising. ....</del>	<del>0.0070</del>	<del>0.7840</del>	<del>0.9610))</del>
Teaching assistance, including any aspect of educational instructional services provided by classified employees. ....	1.0640	0.3000	0.3480
Office support and other noninstructional aides. ....	0.9880	1.1750	0.2310
Custodians. ....	0.0430	0.0580	0.0350
Classified staff providing student and staff safety. ....	0.0000	0.6080	1.1590

1 Parent involvement coordinators..... 0.9175 1.0000 1.0000

2 (b) Additional certificated instructional staff units sufficient  
3 to achieve the following reductions in class size in each level of  
4 prototypical school under RCW 28A.150.260:

5 General education  
6 certificated instructional  
7 staff units sufficient to  
8 achieve class size reduction of:

9	Grades K-3 class size. . . . .	0.00
10	Grade 4. . . . .	2.00
11	Grades 5-6. . . . .	2.00
12	Grades 7-8. . . . .	3.53
13	Grades 9-12. . . . .	3.74
14	CTE. . . . .	4.00
15	Skills. . . . .	<del>((4.00))</del> <u>3.00</u>

16 High poverty  
17 certificated instructional  
18 staff units sufficient to  
19 achieve class size reduction of:

20	Grades K-3 class size. . . . .	2.00
21	Grade 4. . . . .	5.00
22	Grades 5-6. . . . .	4.00
23	Grades 7-8. . . . .	5.53
24	Grades 9-12. . . . .	5.74

25 (2) The staffing units in subsection (1) of this section are an  
26 enrichment to and are beyond the state's statutory program of basic  
27 education in RCW 28A.150.220 and 28A.150.260. However, if and to the  
28 extent that any of these additional staffing units are funded by  
29 specific reference to this section in the omnibus operating  
30 appropriations act, those units become part of prototypical school  
31 funding formulas and a component of the state funding that the  
32 legislature deems necessary to support school districts in offering  
33 the statutory program of basic education under Article IX, section 1  
34 of the state Constitution.

35 NEW SECTION. **Sec. 6.** Section 3 of this act takes effect  
36 September 1, 2022.

1        NEW SECTION.    **Sec. 7.**    Section 3 of this act expires September 1,  
2    2024.

3        NEW SECTION.    **Sec. 8.**    Sections 4 and 5 of this act take effect  
4    September 1, 2024.

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